

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL REVISION CASE No.815 of 2018

ORDER:

This Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C., challenging the order, dated 26.10.2016 in M.C.No.46 of 2010 passed by the Judge, Family Court, Secunderabad.

2. Heard and perused the record.

3. By virtue of the order, dated 26.10.2016, the learned Judge dismissed the above M.C. for default on the ground that the petitioner was called absent on the date when the case was called and there was no representation till 2.00 P.M., On perusal of the order, the said order is an uncontested order. The 2nd respondent was present on that day. The absence of the petitioner on that day was wilful. However, since the M.C. was filed under Section 125 Cr.P.C. seeking maintenance, in the interest of justice, the order passed by the learned Judge, dated 26.10.2016 is liable to be set aside and the same is set aside.

4. Accordingly, the Criminal Revision Case is allowed at the admission stage. As a sequel, miscellaneous petitions, if any, shall stand closed.

JUSTICE G.SRI DEVI

DATED: 02.12.2019

Hsd



